

CR 07 00251

RMW

HBI

UNITED STATES DISTRICT COURT

Filed

APR 25 2007

E-FILING

NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

JOSE BONILLA

INDICTMENT

COUNT ONE: Title 18, United States Code, Section 922(g)(1) – Felon in Possession of a Firearm.

COUNT TWO: Title 26, United States Code, Section 5861(d) – Possession of an Unregistered Firearm.

A true bill.*Foreperson*Filed in open court this 25 day of April

A.D. 2007


UNITED STATES MAGISTRATE JUDGE

Bail. \$

No process required

Filed

APR 25 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

E-FILED

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE BONILLA,

Defendant

CR

07

00251

No.

VIOLATIONS: 18 U.S.C. §922(g)(1) –
Felon in Possession of Firearm; 26 U.S.C. §
5861(d) – Possession of an Unregistered
Firearm

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon In Possession of a Firearm)

On or about July 29, 2006, in the Northern District of California, the defendant

JOSE BONILLA,

having been previously convicted of a crime punishable by a term of imprisonment exceeding
one year, did knowingly possess a firearm, to wit, a sawed-off Remington 12 gauge shotgun,
Model 870, serial number 4682DU, in and affecting interstate commerce, in violation of Title 18,
United States Code, Section 922(g)(1).

INDICTMENT

COUNT TWO: (26 U.S.C. § 5861(d) – Possession of an Unregistered Firearm)

On or about July 29, 2006, in the Northern District of California, the defendant,
JOSE BONILLA,
did knowingly possess a firearm, as that term is described in Title 26, United States Code,
Section 5845(a), to wit, a sawed-off Remington 12 gauge shotgun, Model 870, serial number
4682DU, which firearm was not registered to him in the National Firearms Registration and
Transfer Record, in violation of Title 26, United States Code, Section 5861(d).

FORFEITURE ALLEGATION: (18 U.S.C. 924 (d)(1))

1. The factual allegations contained in Counts One and Two of this Indictment are
realleged and incorporated as if fully set forth here.

2. Upon a conviction for either of the offenses alleged in Counts One and Two
above, the defendant,

JOSE BONILLA,
shall forfeit to the United States any firearm and ammunition involved in or used in any knowing
violation of said offense, including but not limited to the following property: a sawed-off
Remington 12 gauge shotgun, Model 870, serial number 4682DU.

All in violation of Title 18, United States Code, Section 924(d)(1).

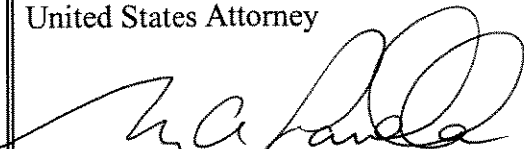
DATED:


A TRUE BILL

25-Apr-2007


FOREPERSON

SCOTT N. SCHOOLS
United States Attorney


MATTHEW A. PARRELLA
Chief, San Jose Branch Office

(Approved as to form: )
AUSA O'Connell

INDICTMENT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 18 U.S.C. §922(g)(1)-Felon in Possession of Firearm
 26 U.S.C. §5861(d)-Possession of an Unregistered Firearm

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 10 year term of imprisonment
 \$250,000 fine
 3 years period of supervised release
 \$100 mandatory special assessment
E-FILING**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Mari Casciani-A.T.F.

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.
07-70188
 Name and Office of Person
 Furnishing Information on
 THIS FORM

KEVIN V. RYAN

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

THOMAS M. O'CONNELL

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

APR 25 2007

DEFENDANT - U.S.

JOSE BONILA

 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

DISTRICT COURT NUMBER

CR 07 00251**DEFENDANT****IS NOT IN CUSTODY**

- 1)
- ☐
- Has not been arrested, pending outcome this proceeding.
-
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☒
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: